

April 10, 2010

CLERK, U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA

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**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

In re:

JORGE LUIS TIJERINA and  
FELICIA ROCHELLE TIJERINA,  
  
Debtors.

Case No. 10-11184-B-12  
Chapter 12  
DC No. KDG-2

Date: April 7, 2010  
Time: 3:00 p.m.  
Place: U.S. Bankruptcy Court  
1300 18<sup>th</sup> Street  
Bakersfield, California  
Judge: W. Richard Lee

**FINDINGS OF FACTS AND CONCLUSIONS OF LAW REGARDING  
CONFIRMATION OF CHAPTER 12 PLAN**

Confirmation of the Chapter 12 Plan filed by Jorge Luis Tijerina and Felicia Rochelle Tijerina ("Debtors") came on for hearing before the Honorable W. Richard Lee, Bankruptcy Judge, on April 7, 2010. Leonard K. Welsh, Attorney at Law, appeared for Debtors and M. Nelson Enmark, Attorney at Law, appeared as the Chapter 12 Trustee. No other appearances were made at the hearing on confirmation of the Plan.

After considering the representations of counsel, the representations the Chapter 12 Trustee, and the papers on file herein including the Chapter 12 Plan filed on February 16, 2010 ("the Plan"),

**FINDINGS OF FACT**

The Court finds that:

1. the Plan has been transmitted to all creditors, parties in interest, or other persons, or entities whose rights are effected by the Plan;

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1           2.       due and proper notice of hearing on confirmation of the Plan has been given to  
2 Debtors, the Chapter 12 Trustee, the United States Trustee, all creditors, and parties requesting  
3 special notice;

4           3.       the Plan meets the requirements of 11 USC Section 1222;

5           4.       the Plan complies with the provisions of Chapter 12 and other applicable  
6 provisions of Title 11;

7           5.       any fee, charge, or amount required under Chapter 12 of Title 28, or by the Plan,  
8 to be paid before confirmation has been paid;

9           6.       the Plan has been proposed in good faith and not by any means forbidden by  
10 law;

11           7.       the value of the property, as of the effective date of the Plan, to be distributed  
12 under the Plan on account of each allowed unsecured claim is not less than the amount that  
13 would be paid on such claims if the estate of Debtors was liquidated under Chapter 7 on such  
14 date;

15           8.       with respect to each allowed secured claim provided for by the Plan—

16               (A)     the holder of such claim has accepted the Plan;

17               (B)(i) the Plan provides that the holder of such claim shall retain the lien  
18 securing its claim, and

19               (ii) the value as of the effective date of the Plan on account of such claim is  
20 not less than the amount of such claim; or

21               (C)     Debtors shall surrender the property securing such claim to such holder;

22           9.       Debtors will be able to make all payments under the Plan and comply with the  
23 Plan; and

24           10.      Debtors are not required by a judicial or administrative order, or by statute, to  
25 pay a “Domestic Support Obligation” as defined in 11 USC Section 101(14A).

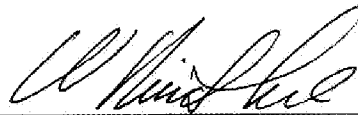
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**CONCLUSIONS OF LAW**

Based on the findings of the Court described above,

1. the Court finds that the Chapter 12 Plan filed by Jorge Luis Tijerina and Felicia Rochelle Tijerina should be confirmed, and
2. Debtors should submit a proposed form of Order Confirming Chapter 12 Plan to the Court consistent with these findings of fact and conclusions of law.

**Dated:** April 10, 2010

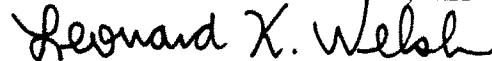


W. Richard Lee  
United States Bankruptcy Judge

Submitted by:

Date: April 8, 2010

KLEIN, DENATALE, GOLDNER,  
COOPER, ROSENLIEB & KIMBALL, LLP



By /s/ Leonard K. Welsh  
LEONARD K. WELSH,  
Attorney for Debtors